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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,088	12/01/2003	Masayuki Koshino	246013US8	1409

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EXAMINER	
NGUYEN, KHAI MINH	

ART UNIT	PAPER NUMBER
2687	

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/724,088	KOSHINO ET AL.	
	Examiner	Art Unit	
	Khai M. Nguyen	2687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is response to Amendment filed on 12/13/2005

Claims 1-6 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Stefano Micocci (IST-2001-34091).

Regarding claim 1, Stefano Micocci teaches a radio access network system (page 26, fig.2-4) comprising:

a control server configured to manage a configuration of a radio access network including a base station (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1, *the control-plane functions are grouped within the radio control server that is typically a standard all purpose platform*), and to set a transfer path for a packet in accordance with the configuration (page 24, paragraph 2.1.1); and

a data server configured to manage a resource of a base station located in the transfer path set by the control server (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1, *the control-plane functions are grouped within the radio control*).

Regarding claim 2, Stefano Micocci teaches a radio communication method in a radio access network including a base station, a control server and a data server (page 26, fig.2-4, *control plane server (RCS), user plane server (UPS)*), the method comprising the steps of:

managing a configuration of the radio access network in the control server(fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1, *the control-plane functions are grouped within the radio control*); setting a transfer path for a packet in accordance with the configuration, in the control server (page 24, paragraph 2.1.1); and

managing a resource of a base station located in the transfer path set by the control server, in the data server (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1).

Regarding claim 3, Stefano Micocci teaches a control server (page 26, fig.2-4, *control plane server (RCS)*) comprising:

a manager configured to manage a configuration of a radio access network including a data server connected to the control server (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1, *the control-plane functions are grouped within the radio control*) and a base station managed by the data server (page 26, fig.2-4) ; a transfer path setter configured to set a transfer path for a packet in accordance with the configuration (page 26, fig.2-4, page 30, paragraph 2.2.1.1.1-2.2.1.1.2);

a network configuration notifier configured to notify an instruction to reserve a resource of a base station in accordance with the configuration (page 26, fig.2-4, page 30, paragraph 2.2.1.1.1-2.2.1.1.2), when the transfer path is set (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1).

Regarding claim 4, Stefano Micocci teaches the control server according to claim 3, wherein the control server is connected to a plurality of data servers (page 26, fig.2-4, *control plane server (RCS)*).

Regarding claim 5, Stefano Micocci teaches a data server (page 26, fig.2-4, *user plane server (UPS)*) comprising:

a manager configured to manage a resource of a base station located in a radio access network (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1);

a resource assigner configured to assign the resource to a transfer path for a packet in accordance with a resource reservation instruction notified by a control server (page 26, fig.2-4, page 30, paragraph 2.2.1.1.1-2.2.1.1.2); and

a resource notifier configured to notify the assigned resource to the control server (page 26, fig.2-4, page 30, paragraph 2.2.1.1.1-2.2.1.1.2).

Regarding claim 6, Stefano Micocci teaches the data server according to 5, wherein the data server transmits and receives the packet via the transfer path set by the control server (fig.2-4, page 24, paragraph 2.1.1 to page 26, 2.1.1.1, page 117, fig.7-6, paragraph 7.2.2.2).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George En can be reached on 571.272.7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
AU: 2687

2/21/2006

GEORGE ENG
SUPERVISORY PATENT EXAMINER